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BEFORE THE ARIZONA CORPORATION COMMISSION  
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Arizona Corporation Commission

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COMMISSIONERS

KRISTIN K. MAYES, Chairman  
GARY PIERCE  
PAUL NEWMAN  
SANDRA D. KENNEDY  
BOB STUMP

IN THE MATTER OF THE APPLICATION  
OF MCGRAW COMMUNICATIONS, INC.  
FOR APPROVAL OF A CERTIFICATE OF  
CONVENIENCE AND NECESSITY FOR  
RESOLD LOCAL EXCHANGE AND  
FACILITIES-BASED LOCAL EXCHANGE  
TELECOMMUNICATIONS SERVICES IN  
ARIZONA.

DOCKET NO. T-04219A-09-0270

PROCEDURAL ORDER

**BY THE COMMISSION:**

On May 29, 2009, McGraw Communications, Inc. ("McGraw" or "Company") filed an application with the Arizona Corporation Commission ("Commission") for approval of a Certificate of Convenience and Necessity ("CC&N") to provide resold and facilities-based local exchange telecommunications services within the State of Arizona. McGraw's application also requests a determination that its proposed services are competitive within Arizona.

On June 15, 2009, the Commission's Utilities Division ("Staff") issued its First Set of Data Requests.

On September 15, 2009, McGraw filed responses to Staff's First Set of Data Requests.

On October 5, 2009, Staff issued a Second Set of Data Requests to McGraw.

On April 21, 2010, McGraw filed responses to Staff's Second Set of Data Requests, which included revised tariff pages.

On June 11, 2010, McGraw filed an updated Certificate of Good Standing and revised tariff pages as requested by Staff.

On August 19, 2010, Staff filed a Staff Report recommending approval of McGraw's application, subject to certain conditions.

On August 25, 2010, by Procedural Order, a hearing was set to commence on November 19, 2010.

1 On September 15, 2010, the Company filed Notice of Appearance of local counsel.

2 On October 8, 2010, McGraw filed an affidavit of publication stating notice of the hearing  
3 date had been published in the *Arizona Republic*, a newspaper of general circulation, on September  
4 20, 2010.

5 On November 1, 2010, McGraw filed a request for its witness to appear telephonically for the  
6 hearing. The request states the witness is located out of state.

7 IT IS THEREFORE ORDERED that McGraw's request for its witness to appear  
8 telephonically is hereby granted and the Company shall contact the Hearing Division five days  
9 prior to the hearing date, at (602) 542-4250, to make arrangements to appear telephonically.

10 IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules  
11 of the Arizona Supreme Court and A.R.S. § 40-243 with respect to practice of law in Arizona and  
12 before the Commission and admission *pro hac vice*.

13 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance  
14 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the  
15 Rules of Arizona Supreme Court). Representation before the Commission includes appearance at all  
16 hearings and procedural conferences, as well as all Open Meetings for which the matter is scheduled  
17 for discussion, unless counsel has previously been granted permission to withdraw by the  
18 Administrative Law Judge or the Commission.

19 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized  
20 Communications) applies to this proceeding and shall remain in effect until the Commission's  
21 Decision in this matter is final and non-appealable.

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1 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive  
2 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

3 Dated this 9th day of November, 2010.

4  
5  
6   
7 YVETTE B. KINSEY  
ADMINISTRATIVE LAW JUDGE

8 Copies of the foregoing mailed/delivered  
9 this 9th day of November, 2010 to:

10 Lance J.M. Steinhart  
11 LANCE J.M. STEINHART, P.C.  
1720 Windward Concourse, Suite 115  
Alpharetta, GA 30005

12 Michael W. Patten  
13 ROSHKA DEWULF & PATTEN, PLC  
One Arizona Center  
400 East Van Buren Street, Suite 800  
14 Phoenix, AZ 85004

15 Janice Alward, Chief Counsel  
Legal Division  
16 ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
17 Phoenix, AZ 85007

18 Steven M. Olea, Director  
Utilities Division  
19 ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
20 Phoenix, AZ 85007

21 ARIZONA REPORTING SERVICE, INC.  
2200 North Central Avenue, Suite 502  
22 Phoenix, AZ 85004-1184

23  
24 By: 

25 Debra Broyles  
Secretary to Yvette B. Kinsey  
26  
27  
28